

NOTICE OF EMERGENCY RULE-MAKING

AGENCY: Department of Marine Resources
STATUTORY AUTHORITY: 12 M.R.S.A. §§6172, 6192, & 6193
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BASIS STATEMENT

The Commissioner of the Maine Department of Marine Resources amends the emergency DMR Chapter 95.06(G), Closed Area No. 25-A, South Bristol, amended on May 27, 1993. This amendment changes the title of the rule to Area No. 24-B, Johns Bay (South Bristol and Bristol); includes part of Area No. 25-B, and the rest of Area No. 25-B has been moved to Area No. 24-A and Area No. 25-C; and reclassifies a portion of Johns Bay from "Approved" to "Prohibited" due to a lack of recent sanitary survey (no survey in at least 12 years). As authorized by 12 M.R.S.A. §§6172, 6192, 6193 the Commissioner of Marine Resources adopts emergency amendments to Chapter 95.06(G).

RULE TITLE AND SUBJECT: DMR Chapter 95.06(G), Closed Area No. 25-A, South Bristol, amended on May 27, 1993, is amended as follows:

TITLE & TEXT OF RULE: ~~DMR Chapter 95.06(G), Closed Area No. 25-A, South Bristol~~ Area No. 24-B, Johns Bay (South Bristol and Bristol)

Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of the following areas:

A. Johns Bay (South Bristol and Bristol): inside and shoreward (west) of a line beginning at the south tip of McFarlands Point (South Bristol), then running southeast to the red nun '2' buoy at McFarlands ledges, then continuing southeast to the south tip of Johns Island (Bristol), then running southwest to the southeast tip of Turnip Island (South Bristol), then continuing from the southwest tip of Turnip Island, and running northwest to the south tip of Shipley Point (South Bristol).

B. Pemaquid Neck (Bristol), within 500 feet of the shore: east of the southwest tip of Fish Point; AND west of the southernmost tip of Pemaquid Neck.

~~1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of that portion of South Bristol, Lincoln County, ENCLOSED by a line beginning at a red painted post located one-half mile, more or less, north of the most southwestern tip of the South Bristol peninsula (eastern shore of Jones Cove) and running to the westernmost extremity of Foster Point, Rutherford Island; thence southeasterly to the southernmost tip of Rutherford Island; thence easterly to the southern tip of Turnip Island; thence northeasterly to the northwestern extremity of Crow Island; thence northerly to the easternmost prominence of the lowest tide mark of Rutherford Island; then following the lowest tide mark in a northerly direction to the north end (Davis Point) of said island; then running westerly to the north end of Gem Island; then running west to a red post on the mainland; then running northwesterly across the peninsula to the red post that marks the beginning of this enclosure line.~~

EFFECTIVE DATE: March 27, 2008

EFFECTIVE TIME: 12:25 PM

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http://www.maine.gov/dmr/rm/public_health/closures/closedarea.htm

PORTLAND PRESS HERALD - March 31, 2008



Maine Department of Marine Resources

Pollution Area No. 24-B



Johns Bay (South Bristol and Bristol)

3/27/08

